

## CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date:

D. C. Form No. 106A Rev.

6

TITLE OF CASE		ATTORNEYS				
Keystone Sand & Gravel Company of Bixby, Inc.  vs  Clark Equipment Company and R. A. Young & Son, Inc.		For plaintiff: George S. Thompson 201 Harvard Tower Building Tulsa, Oklahoma 74135 (4815 S. Harvard) Rick Loewenherz 5200 South Yale Tulsa, Okla.				
		For defendant: Park, Tawney & Dalton (Young) 328 West Kenosha Broken Arrow, Okla. 74012  L. J. Fulton (do do) Conner, Winters, Ballaine, Barry & McGowen, 707 FNBldg., Tulsa, Okla				
STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.	
J.S. 5 mailed 1-1-71	Clerk	12-28-70	Park, etc.	15 00		
		12-31-70	C/D #29		15 00	
J.S. 6 mailed 8-1-71	Marshal					
Basis of Action: Money judgment & failure of hydraulic pumps	Docket fee					
	Witness fees					
Action arose at: Tulsa	Depositions					

DATE	PROCEEDINGS	Date Order or Judgment Noted
12-28-70	Petition for removal from District Court of Tulsa County, filed. m	
12-28-70	Removal bond in the amt. of \$500.00, filed. Surety, Mid-Continent Casualty Company. m	
12-28-70	Certificate of mailing, filed. m	
1-22-71	Motion of defendant, Clark Equipment Company to enlarge time to Jan. 29, 1971 to answer, filed. copies mailed. b	
1-22-71	Order filed, granting defendant Clark Equipment Company until Jan. 29, 1971 to answer. (Fred Daugherty - Judge) copies mailed. b	
1-22-71	Answer of R. A. Young & Son, Inc., filed. (Leave granted to file out of time. (FD-J)) b	
1-29-71	Answer of def. Clark Equip. Co. filed. h	
2-24-71	Ordered by the Court that this case is set for pre-trial on Wednesday, March 3, 1971 at 11:00 A. M. (Fred Daugherty - Judge) b	
3-3-71	Pre-trial hearing held, oral express warranty written in long hand and filed. Jury trial requested and granted. Parties to exchange list of witnesses within 15 days. Motion for summary judgment to be filed by defendants, plaintiff to prepare pre-trial order. (Fred Daugherty - Judge) b	
3-8-71	Oral (typewritten) express warranty, filed. b	
3-29-71	Motion of defendant, R. A. Young & Son, Inc., for summary judgment, with brief attached, filed. b <i>Further 29</i>	
3-31-71	Motion of defendant, Clark Equipment Company for summary judgment, filed. b	
3-31-71	Brief of Clark Equipment Company in support of motion for summary judgment, filed. b	
4-1-71	Ordered by the Court that the plaintiff respond to each of the defendants motion for summary judgment, with brief within 15 days from date. (Fred Daugherty - Judge) b	
4-13-71	Plaintiff's motion to enlarge period to respond to defendants' motions for summary judgment, filed. b	
4-14-71	Pre-trial order filed, parties list witnesses, jury trial granted. (Fred Daugherty - Judge) b	
4-14-71	Order filed, that plaintiff's time to respond to defendants' motions for Summary Judgment extended to May 17, 1971. (Fred Daugherty-Judge) b	
5-17-71	Reply to Motion for Summary Judgment filed by plaintiff. h	
5-17-71	Brief of Keystone Sand and Gravel Co. of Bixby, Inc., in support of plaintiff's reply to defendants motion for S/J filed. h	
5-17-71	Reply to motion for S/J filed by plaintiff. h	
5-17-71	Brief of plaintiff Keystone Sand and Gravel Co. of Bixby, Inc., in support of plaintiff's reply to motion for S/J of def. R.A. Young & Son, Inc. filed. h	
7-12-71	Pltff's Motion to Dismiss, filed. r <i>Dismissed</i>	
7-14-71	Deft's Reply to Pltff's answer brief resisting S/J of Deft. R.A. Young & Son, Inc., filed. r	
7-14-71	Order of dismissal, filed and entered. (FD-J) r <i>Dismissed Order to steps</i>	